

1 LAW OFFICES OF ROBERT P. SPRETNAK  
2 Robert P. Spretnak, Esq. (Bar No. 5135)  
3 8275 S. Eastern Avenue, Suite 200  
4 Las Vegas, Nevada 89123  
Telephone: (702) 454-4900  
Fax: (702) 938-1055  
Email: bob @ spretnak.com  
Attorney for Plaintiff

6 LITTLER MENDELSON, P.C.  
7 Bruce C. Young, Esq. (Bar No. 5560)  
8 3960 Howard Hughes Parkway, Suite 300  
9 Las Vegas, Nevada 89169-5937  
Telephone: (702) 862-8800  
Fax: (702) 862-8811  
Email: [byoung @ littler.com](mailto:byoung@littler.com)  
Attorneys for Defendants

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

8 TO: The Honorable PEGGY A. LEEN, United States Magistrate Judge

9 Pursuant to the Minutes of Proceedings (Document 41), issued on May 11, 2012, the parties  
10 to this action jointly submit this Status Report to apprise this Court as to the progress that has been  
11 made to finalize the confidential settlement that was reached in this matter.

22           Although the parties do have progress to report, the matter has not yet been finalized with  
23 Medicare authorities. Shortly after the previous teleconference on this matter, the Medicare  
24 Secondary Payor Recovery Contractor (MSPRC) issued its preliminary determination which stated,  
25 “To date, Medicare has not paid any claims that currently appear related to the beneficiary’s pending  
26 settlement, judgment, or award for the above-referenced matter.” This was sent to Defendant  
27 Freeman Decorating Services, Inc., and a copy was sent to Plaintiff Mr. McNamee. However,  
28 Freeman’s receipt and processing was delayed because Freeman’s letter was sent by the MSPRC to

1 an erroneous address. Although Freeman has not yet received the letter from the MSPRC, a copy  
2 was provided by Mr. McNamee. The MSPRC had asked Freeman to complete an attached "Final  
3 Settlement Detail Document." This document is what the MSPRC will base its final determination  
4 as to whether it will assert a claim for some or all of the settlement amount.

5 The parties are awaiting completion of the processing of the Final Settlement Detail  
6 Document. The parties, therefore, ask that this matter be set for a status check in 60 days.  
7

8 DATED: July 10, 2012.

DATED: July 10, 2012.

9 LAW OFFICES OF ROBERT P. SPRETNAK

LITTLER MENDELSON

10 By: /s/ Robert P. Spretnak  
Robert P. Spretnak, Esq. (Bar No. 5135)

By: /s/ Bruce C. Young  
Bruce C. Young, Esq. (Bar No. 5560)

11 Attorney for Plaintiff

Attorneys for Defendant

12 8275 S. Eastern Avenue, Suite 200  
13 Las Vegas, Nevada 89123

3960 Howard Hughes Parkway, Suite 300  
Las Vegas, Nevada 89169

14

15

16

## ORDER

17 IT IS ORDERED that a telephonic status check is scheduled for **Monday, September 10, 2012, at 4:00 p.m.** Plaintiff's counsel shall plan for and initiate the  
18 conference call to chambers. If a stipulation to dismiss is filed before the status check  
19 is to take place, then the status check will be automatically vacated.

20

DATED this 16th day of July, 2012.

21

  
22 Peggy A. Leen  
United States Magistrate Judge

23

24

25

26

27

28